

JUN 09 2006

PTO/SB/07 (09-04)

Approved for use through 07/31/2008, OMB 0651-0031

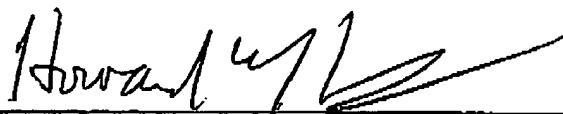
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on June 9, 2006
Date



Signature

Howard M. Cohn

Typed or printed name of person signing Certificate

25, 808

Registration Number, if applicable

216-752-0955

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

FAX 571-273-830Response to Notice of Non-Compliant Amendment

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

JUN 09 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No. 5144

In re : Application of Chen et al.
For : MAINTAINING UNIFORM CMP HARD MASK THICKNESS
Serial No. : 10/711,145
Filed : August 27, 2004
Group Art Unit : 2823
Examiner : Phillip Green
Our Docket No. : FIS920040211US1
Customer No. : 24036

June 9, 2006

By Fax 571-273-8300

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

This is in response to the Notice of Non-Compliant Amendment having a statutory period of one month (July 1, 2006) in which to reply.

Please amend the referenced application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

The Remarks begin on page 6 of this paper.